

REMARKS

Claims 43, 44, 49, 54-68, and 70-87 are pending in the application. Claims 45-48, 50-53, and 69 have been cancelled without prejudice or disclaimer. Claims 43, 54, 56, 59, 61, 65, 66, and 71-73 have been amended. Claims 84-87 have been added. No new matter has been added. Support for the claim amendments and new claims may be found in the specification, drawings, and claims as originally filed.

Claims 43, 44, 49, 60, 61, 70-77, and 79-81 are Allowable

The Office has rejected claims 43-45, 47, 49, 50, 60, 61, 69-77, and 79-81, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 7,006,833 (“Contractor”). Claims 45, 47, 50, and 69 have been cancelled without prejudice or disclaimer. Applicants respectfully traverse the remaining rejections.

The cited portions of Contractor do not disclose or suggest the specific combination of claim 43. For example, the cited portions of Contractor fail to disclose or suggest a communication module to determine proximity zone data of a subscriber by polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 43.

The Office asserts that Contractor “teaches at least one proximity sensor of the plurality of proximity sensors indicates detection of the proximity indicator when the proximity indicator is in contact with the at least one proximity sensor.” *See* Office Action, p. 6 (Emphasis Added). Applicants respectfully disagree. The cited portions of Contractor indicate that “when called party 302 comes within a predetermined range of called party’s home telephone 124, for example, location-based tracking device 304 on called party’s person transmits a signal 601 to receiver 603 location within or in communication with called party’s home telephone 124.” *See* Contractor, col. 11, lines 14-22 (Emphasis Added). Thus, in Contractor, the location-tracking device wirelessly transmits a signal to a receiver. The location-tracking device in Contractor is not in electrical contact with a cradle, as in claim 43. Thus, the cited portions of Contractor do not disclose or suggest a communication module to determine proximity zone data of a

subscriber by polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 43. Hence, claim 43 is allowable.

Claim 44, 49, and 60 depends from claim 43. Therefore, claims 44, 49, and 60 are allowable, at least by virtue of their dependence from an allowable claim.

The cited portions of Contractor do not disclose or suggest the specific combination of claim 61. For example, the cited portions of Contractor fail to disclose or suggest determining proximity zone data of a subscriber by polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 61.

As explained above, the location-tracking device in Contractor wirelessly transmits a signal to a receiver. The location-tracking device in Contractor is not in electrical contact with a cradle, as in claim 61. Thus, the cited portions of Contractor fail to disclose or suggest determining proximity zone data of a subscriber by polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 61.

Claims 70-77 and 79-81 depend from claim 61. Therefore, claims 70-77 and 79-81 are allowable, at least by virtue of their dependence from an allowable claim. Further, the dependent claims recite additional elements not disclosed or suggested by the cited portions of Contractor.

For example, the cited portions of Contractor fail to disclose or suggest that detecting a change in proximity zone data comprises receiving an indication from at least one cradle of a plurality of cradles that a mobile communication device is no longer in electrical contact with the at least one cradle, as in claim 72. As another example, the cited portions of Contractor fail to disclose or suggest that detecting a change in proximity zone data comprises receiving an indication from at least one cradle of a plurality of cradles that a mobile communication device is

in electrical contact with the at least one cradle, as in claim 73. For at least these additional reasons, claims 72 and 73 are allowable.

Claims 46 and 51-53

The Office has rejected claims 46 and 51-53, under 35 U.S.C. §103(a), as being unpatentable over Contractor in view of U.S. Patent Publication No. 2002/0113879 (“Battle”). Claims 46 and 51-53 have been cancelled without prejudice or disclaimer, rendering the rejections moot.

Claim 48

The Office has rejected claim 48, under 35 U.S.C. §103(a), as being unpatentable over Contractor in view of U.S. Patent Publication No. 2002/0000930 (“Crowson”). Claim 48 has been cancelled without prejudice or disclaimer, rendering the rejection moot.

Claims 54-59 are Allowable

The Office has rejected claims 54-59, under 35 U.S.C. §103(a), as being unpatentable over Contractor in view of U.S. Patent No. 6,389,117 (“Gross”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Contractor fail to disclose or suggest at least one element of claim 43. The cited portions of Gross fail to disclose or suggest the elements of claim 43 not disclosed or suggested by the cited portions of Contractor. For example, the cited portions of Gross fail to disclose or suggest a communication module to determine proximity zone data of a subscriber by polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 43. Instead, Gross describes a platform that provides access to multiple telecommunications services via a single telephone number. *See Gross, Abstract.* Therefore, the cited portions of Contractor and Gross, individually or in combination, fail to disclose or suggest at least one element of claim 43, from which claims 54-59 depend. Hence, claims 54-59 are allowable.

Claims 62, 63, and 65-67 are Allowable

The Office has rejected claims 62, 63, and 65-67, under 35 U.S.C. §103(a), as being unpatentable over Contractor in view of U.S. Patent Publication No. 2006/0136546 (“Trioano”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Contractor fail to disclose or suggest at least one element of claim 61. The cited portions of Trioano fail to disclose or suggest the elements of claim 61 not disclosed or suggested by the cited portions of Contractor. For example, the cited portions of Trioano fail to disclose or suggest polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 61. Instead, Trioano describes a system and method to initiate a mobile data communication utilizing a trigger system. *See* Trioano, Abstract. Therefore, the cited portions of Contractor and Trioano, individually or in combination, fail to disclose or suggest at least one element of claim 61, from which claims 62, 63, and 65-67 depend. Hence, claims 62, 63, and 65-67 are allowable.

Claims 64, 68, and 78 are Allowable

The Office has rejected claims 64, 68, and 78, under 35 U.S.C. §103(a), as being unpatentable over Contractor in view of U.S. Patent Publication No. 2002/0165988 (“Khan”). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Contractor fail to disclose or suggest at least one element of claim 61. The cited portions of Khan fail to disclose or suggest the elements of claim 61 not disclosed or suggested by the cited portions of Contractor. For example, the cited portions of Khan fail to disclose or suggest polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 61. Instead, Khan describes formatting of web content for remote viewing. *See* Khan, Abstract. Therefore, the cited portions of Contractor and Khan, individually or in combination, fail to disclose or suggest

at least one element of claim 61, from which claims 64, 68, and 78 depend. Hence, claims 64, 68, and 78 are allowable.

Claims 82 and 83 are Allowable

The Office has rejected claims 82 and 83, under 35 U.S.C. §103(a), as being unpatentable over Contractor in view of U.S. Patent No. 6,362,778 ("Neher"). Applicants respectfully traverse the rejections.

As explained above, the cited portions of Contractor fail to disclose or suggest at least one element of claim 43. The cited portions of Neher fail to disclose or suggest the elements of claim 43 not disclosed or suggested by the cited portions of Contractor. For example, the cited portions of Neher fail to disclose or suggest a communication module to determine proximity zone data of a subscriber by polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 43. Instead, Neher describes a personal locator system for determining the location of a locator unit that includes a locator unit in communication with both a central station and a GPS satellite. *See* Neher, Abstract (Emphasis Added). Thus, in Neher, location information is determined based on wireless transmissions from a locator unit, not based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 43. Therefore, the cited portions of Contractor and Neher, individually or in combination, fail to disclose or suggest at least one element of claim 43, from which claim 82 depends. Hence, claim 82 is allowable.

As explained above, the cited portions of Contractor fail to disclose or suggest at least one element of claim 61. The cited portions of Neher fail to disclose or suggest the elements of claim 61 not disclosed or suggested by the cited portions of Contractor. For example, the cited portions of Neher fail to disclose or suggest polling each of a plurality of cradles associated with the subscriber, where each of the plurality of cradles indicates proximity zone information based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 61. As explained above,

in Neher, location information is determined based on wireless transmissions from a locator unit, not based on whether a mobile communication device of the subscriber is in electrical contact with a particular cradle associated with a particular proximity zone, as in claim 61. Therefore, the cited portions of Contractor and Neher, individually or in combination, fail to disclose or suggest at least one element of claim 61, from which claim 83 depends. Hence, claim 83 is allowable.

New Claims 84-87 are Allowable

Claims 84 and 85 depend from claim 43, which Applicants have shown to be allowable. Therefore, claims 84 and 85 are allowable, at least by virtue of their dependence from an allowable claim.

Claims 86 and 87 depend from claim 61, which Applicants have shown to be allowable. Therefore, claims 86 and 87 are allowable, at least by virtue of their dependence from an allowable claim.

CONCLUSION

Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

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